

**Summary Minutes**  
**Maricopa County Local Emergency Planning Committee (MCLEPC)**

January 4<sup>th</sup>, 2006

A meeting of the Maricopa County Local Emergency Planning Committee (MCLEPC) was held January 4<sup>th</sup>, 2006 at the Maricopa County Environmental Services Building located at 1001 North Central Avenue, Phoenix, Arizona.

***Membership in Attendance***

- *Members in Attendance*

Warren Leek, Steve Brittle, Mike Fusco, David Jones, Kevin Rose, Hal Rosen, Richard Thomas, Maryalice Witzel, Tom Shannon, Al Jensen, Terry Petko, Tom Abbott, Todd Harms (representing Mary Price), Joan Minichiello (representing John Power), and Jeff Bauer (present for Tim Jones)

- *Members Absent*

Joe Arpaio, Tim Newbill, Michael Trepasso and Jack Pike

- *Others in Attendance*

Holly Carpenter, Mary Kanoon, Glenn Jones, Scott Meyer, Daniel Roe, John Padilla, Dennis Carpenter, Beverly Deason, Jeff Homer, Marcus Aurelius, Rob Gunter, Ron Jamison and Chris Haupt

***Call to Order***

Chairman Leek called the meeting to order at 2:10 pm with a quorum of the membership in attendance.

***Introductions***

Chairman Leek called for introductions. Under *New Business* he added Rules Re-visitation, so the committee could review the accepted changes from the October 2005 meeting.

***Approval of Minutes***

David Jones made a motion to approve the October 2005 minutes. Ms. Witzel seconded the motion, and the motion was unanimously approved.

### ***Subcommittee Reports***

- ***Education Subcommittee-*** Mr. Hal Rosen reported that the subcommittee did not meet last quarter. A meeting is scheduled for February 8<sup>th</sup> at 0800 in his office.
- ***Grants Subcommittee-*** Mr. Glenn Jones announced that he applied for a grant to do an evacuation drill through the SERC (State Emergency Response Commission) and hopes to have approval by the next LEPC meeting. He stated that he would be happy to provide an equipment list and outline to anyone interested. Also, the City of Surprise requested a pass through grant to be used for equipment which is also awaiting approval from the SERC.
- ***Membership Subcommittee-*** Mr. Leek called for a representative to speak on behalf of the Membership Subcommittee. No one came forward. There was no report.
- ***Plans Subcommittee-*** Mr. Leek asked if any movement had been made towards filling the vacant Chairman position. He asked if anyone was willing to chair the Plans Subcommittee. Mr. Brittle agreed to take the position of Chairman.
- ***Rules Subcommittee-*** Mr. Fusco announced that the Rules changes would be addressed later today under New Business.
- ***Ad-Hoc Subcommittee-*** Mr. Jones indicated that the Ad-Hoc Subcommittee did not meet this quarter. Mr. Brittle asked what had happened with the mapping that was discussed at the last meeting. Mr. Jones stated that the employee responsible for GIS at the Maricopa County Department of Emergency Management recently left the department, but he completed the mapping the day before he left. Mr. Brittle asked if there is a way for committee members to review the data that was compiled. Mr. Jones stated that he could send the data in PDF format via email. Mr. Leek added that there will be a little bit of a slow down in the process over at the county, as the new employee gets up to speed in the departments business.

### ***Old Business***

- ***Elect New Officers-*** Mr. Leek announced that Dr. Thomas has removed himself from nomination as Vice-Chairman, and Mr. Hal Rosen stepped in to replace him for the nomination.

Mr. Brittle requested follow up on the contact from Intel who had expressed interest in membership. Glenn Jones stated that he was under the impression that Tim Jones, the Membership Chair, would be reporting it at today's meeting. Mr. Jeff Bauer (Representative for Tim Jones) stated that he was not given any updates to pass along to the committee. Mr. David Jones stated that it still doesn't affect the election of Chairman and Vice-Chairman because the positions must be filled by members who have held status for at least one year.

Mr. David Jones made a motion to nominate Mike Fusco and Hal Rosen to the respective positions of Chairman and Vice-Chairman. Dr. Thomas seconded the motion. The Committee took a vote and the motion passed unanimously.

- ***Update on LEPC Plan***

Mr. Glenn Jones requested that the Committee look over the LEPC plan, and make comments to help assist with the correction of deficiencies that had been highlighted by the SERC. Mr. Brittle stated that this is a matter for the Plans Subcommittee and should be reviewed by them. Mr. Brittle pointed out that the Plans Subcommittee would review the plan and make suggestions at the next quarterly meeting. Mr. Leek agreed with his suggestion.

### ***New Business***

- ***Palo Verde Exercise-*** Mr. John Padilla, Emergency Planner for the Maricopa County Department of Emergency Management stepped in to give a presentation on Palo Verde Nuclear Generating Station and the combined county/state emergency operations plan for incidents at the plant. Mr. Padilla stated that Palo Verde sits on a 4,050 acre site, 55 miles west of Phoenix, and 8 miles south of I-10. There are three identical pressurized water reactors. It is the largest power producer in the United States. It employs 2,000 people and currently with the outage and steam generator replacement, closer to 3,000.

Mr. Padilla explained that the response to an incident is worked out in the Designated Emergency Planning Zones (EPZ). The Plume EPZ (10 mile radius) deals with direct inhalation and exposure to radiological material released into the atmosphere. Population estimates 6,600 people in the 10 mile EPZ. The second is a 50 mile EPZ, Ingestion Pathway, which deals with exposure to radioactive material from ingestion of contaminated foodstuffs and dairy products, and the impact on the people living around the plant and the economy of Arizona when trying to sell vegetables and dairy products. The County is evaluated by FEMA every six years for Ingestion Pathway. The county just completed the Ingestion EPZ exercise this last November.

The last actual event at the plant was on June 14<sup>th</sup>, 2004. Palo Verde declared an Alert. The event lasted about four hours and included activating the State Emergency Operations Center (SEOC), Maricopa County EOC, and field monitoring teams. The West Wing power station was knocked out by organic matter left on a line by a bird. That tripped all three units out the plant. There was a problem with one of the diesel generators. The activation of the County EOC went with no surprises, everything worked as it normally would during an exercise.

Mr. Padilla explained that the County's responsibilities during an incident include altering and notification, roadblocks, evacuation assistance, and reception and care centers. Under Alerting, Mr. Padilla stated that there are forty-four sirens in the 10 mile EPZ which alert residents to turn on a radio or television. If residents of the 10 mile are not comfortable with the sirens, they can request a tone alert radio provided by the plant. If a siren fails the Sheriff's office will send out vehicles to do route alerting. We also have the Community Emergency Notifications System (CENS) as a fourth option. It was used this last year for testing and worked well.

Next, Mr. Padilla addressed notification. He indicated that the public is notified via the Emergency Alert System (EAS) of the protective actions to be taken. The EAS would be issued per the Governor's decision. Actions include sheltering in place, evacuating, or taking Potassium Iodide (KI). The Director of Maricopa County Public Health (MCDPH) has to make the decision to issue KI. KI prevents the Thyroid from absorbing

Radioactive Iodide. He stated that the supply is more than enough for the entire population out there.

Maricopa County Sheriff's Office is responsible staffing at roadblocks in evacuated areas. Maricopa County Department of Transportation (MCDOT) provides barricades at roadblock locations and signs directing traffic around the affected area.

The Maricopa County Department of Emergency Management (MCDEM) maintains a database with response cards for people living in the 10 mile radius. People who request special assistance will have someone from the Sheriff's office go directly to their house and evacuate them. Those who evacuate go to Reception and Care Centers (RCCs). At RCCs people and vehicles are monitored for radioactive contamination. The Red Cross works with the County to open up shelters. The MCDPH is responsible for dispensing KI.

Mr. Terry Petko asked how the RCCs were chosen and what zone they fall under. RCCs include Buckeye Union High School, Wickenburg High School, and Desert Edge High School. Mr. Padilla stated that the RCCs are outside the 10 mile radius, and were chosen by looking at the evacuation routes available out at the ten mile, should a plume move due north, south, southeast or east. If the plume travels west, there isn't a large population out there so most of the evacuation routes pretty much go east.

Mr. Padilla pointed out that evacuees are encouraged to bring their pets with them to the RCCs. The Human Society and Maricopa County Animal Control co-locate with Red Cross at the RCC locations. They have provisions for livestock and small animals. Other representatives at RCCs include the Arizona Department of Economic Security and Adult Protective Services. Representatives of the Tono O'odham Nation assist tribal members who live in the 10 mile.

Mr. Brittle asked what the plans are to decontaminate property from radioactive fallout. Mr. Padilla stated that would fall under recovery operations, and we are more concerned first with evacuating the population from the area. Once all the radioactive hotspots have been defined then Arizona Radiation Regulatory Agency (ARRA) will send monitoring teams out to tell us what levels we are looking at and we would then work with the EPA. Mr. Brittle asked if the county had a contingency plan that allows for wind patterns from monsoons and other weather patterns. Mr. Padilla stated that the County would respond to an incident anywhere in the 10 mile radius. Mr. Brittle stated that he could forward a study that shows that when two nuclear power plants are closed down in California that the infant mortality rate in the 50 mile radius plummeted, which would indicate that the radiation could be harmful farther than 10 miles. Mr. Padilla stated that is exactly why we practice every six years out to the 50 mile radius. For the 50 mile radius we are practicing for a one year total exposure rate. The 10 mile is immediate evacuation only. Mr. Brittle stated that it would be nice to get funding for a database of chlorine facilities and residents needing assistance in an evacuation. Mr. Leek said that it would be nice but the problem is that there are thousands of templates.

Mr. Kevin Rose asked that with the growth out there, what is Palo Verde doing with the three natural gas plants 2 miles south of the Palo Verde. Mr. Padilla stated that they are included in the response plan. Their control rooms are contacted by our Emergency Operations Center of the status of the plant. We did a hazmat exercise last year with all three of them, to coordinate better communication between with the plant.

- ***Administrative Complaint-*** Mr. Leek read excerpts from the EPA's October 21, 2005 response letter to the April 19, 2002 complaint filed by the Concerned Residents of South Phoenix (CRSP). Mr. Leek asserted that two of the complaints have been accepted for investigation and one has not yet been accepted. The first complaint to have been accepted for investigation is the allegation that the MCLEPC intentionally discriminated against Latinos and African Americans by failing to respond to questions that CRSP, an organization almost entirely made up of African American and Latino members, submitted to MCLEPC in March of 2002. The second to be accepted for investigation is the complaint that alleges the MCLEPC intentionally discriminated against Latinos and African Americans by removing a discussion of a toxic fire from the April 3, 2002, meeting agenda and refusing to place discussion of the fire in the agenda for the next MCLEPC meeting.

Mr. Leek pointed out that the two other allegations have yet to be accepted because the EPA requires further clarification. The first alleges numerous failures by MCLEPC to comply with EPCRA requirements, including allegedly failing to address or update required elements of its EPCRA Section 303 emergency plan. Mr. Leek pointed out that this would be the Hazardous Materials Annex to the current County emergency operations plan. The second alleges that the AZSERC failed in its supervisory and oversight duties of the MCLEPC, as required by Sections 301 and 303 of EPCRA, and because of these failures, AZSERC is in part responsible for MCLEPC's alleged violations of EPA's Title VI regulations. Mr. Roe asserted that the charges against AZSERC were dropped.

Mr. Leek announced that the County Attorney's office and the State Attorney General's office have been looking into this, and we are just going to have to get back with you. We do not have anything as far as a response at this time. Mr. Brittle stated that he is in the unlucky position of having to reply on behalf of the CRSP to the EPA. The CRSP withdrew their complaint against the AZSERC because the state was very proactive in trying to understand and investigate these issues after the administrative complaint. He declared that the problem could be resolved if the residents of South Phoenix had an opportunity to meet with a Subcommittee of the MCLEPC, to offer them the opportunity to bring their concerns to the committee. All they really wanted to do was talk about what could be done to the emergency plan and what went wrong with the Central Garden Fire. He stated that he thought that meeting would probably solve the problem.

- ***Dr. Richard Thomas-*** Mr. Leek disclosed that he received a letter from Dr. Thomas stating that he is resigning from Banner and as a result will no longer represent the health industry on the LEPC. Mr. Leek thanked Dr. Thomas for his work over the years.
- ***Mary Price-*** Ms. Price submitted a letter stating that she is stepping down as a representative from the Phoenix Fire Department. She recommended her replacement as Deputy Todd Harms.
- ***Tom Shannon-*** Mr. Shannon has requested to be replaced by Rob Gunter, Emergency Management/ Homeland Security Coordinator for City of Glendale.

Mr. Leek asked if the committee should take a vote to approve the new members. Mr. Dennis Carpenter stated that it should be on the agenda; otherwise doesn't follow the open meeting law. Mr. Fusco stated that we should wait until the next meeting and put it

on the agenda. Mr. Brittle asserted, didn't we just approve this at the last meeting when we covered the rules. He stated that he thought the purpose of that amendment was to take action, so that all items on the agenda are eligible for potential vote. Mr. Fusco wasn't sure.

- **Rules Re-visitation-** Mr. Leek declared that it would be best to go over the rules changes at the next meeting because there are discrepancies in what changes were actually made to the rules.

### ***Board Comments***

Mr. Brittle asserted that anytime the County gets a letter that is addressed to the LEPC, the committee should receive a copy of the letter at the next meeting. It also should not take a year to answer someone and then respond with an answer that does not address their request. Mr. Glenn Jones stated the response letter to Diane Post was composed with guidance under the former Chairman Osman Aloyo. Mr. Brittle explained that another letter should be promulgated that tells the community members of the Cordova Neighborhood Association when the next ad hoc subcommittee meeting will be, so they can attend to provide input on Hills Brothers and DPC. Mr. Leek stated that we will look over the letter and reevaluate it to make sure that the response is adequate.

### ***Call to Public***

There were no comments from the public.

### ***Public review of plan***

Mr. Leek pointed out that the new "*Public review of the plan*" section was added to the agenda after a vote at the last meeting to provide the public with an opportunity to speak on the Hazardous Materials Incident Annex to the County Emergency Operations plan.

Mr. Dan Roe stated that he thought at the last meeting that having the public review of the plan had been voted down as a standing item on the agenda, and that is fine as long as it appears frequently on the agenda. He stated that if we look at the administrative complaint we will see the source of the problem. The Concerned Residents of South Phoenix were not provided the opportunity to have public comment specifically on the plan. He stated that the heart of what an LEPC is is that plan. Mr. Roe suggested that the agenda item say not just *Public review of the plan* but *public review of local emergency planning committee hazmat plan*.

Mr. Brittle asked where the public could find the plan. Mr. Leek stated that someone would have to come down to the Maricopa County Emergency Management Office to look at the plan. For security reasons we do not put it on the Internet. It may be available at some public libraries and it has been given to the Phoenix Public Library. Mr. Brittle stated that he did not see any information that would be a surprise to anybody. Mr. Fusco imparted that there are a couple of things out there, things happening with terrorist intents to use everyday, common conventional responses and then using those as quick targets of opportunity to go after first response and command staff, so we have a best interest to be careful with what we disclose. Mr. Roe stated that public availability is still a requirement but with controls. He suggested holding a small, controlled meeting where the public can

review the plan. Mr. Petko suggested that it could be an outreach task for the Education Subcommittee. Mr. Brittle stated that maybe we should add a comment on the agenda that states where the plan can be found, so the public knows where to go. Mr. Leek stated that would be easy enough. Dr. Thomas suggested taking a half hour before each meeting to have control copies of the plan available for the public before each LEPC meeting.

Mr. Fusco declared that the plan needs to be taken out to the public. The message should be that we listen and we are reasonable. He suggested setting up meeting dates in the community, especially South Phoenix, to give presentations on the plan. He stated that he would ask the Education Subcommittee to tackle this issue. Mr. Scott Meyer stated the committee should be targeting the plans presentations toward people who need to be responded to because they make a request. Mr. Roe announced that the SERC has a website with contacts for each county LEPC, course not everyone has access to the Internet. He encouraged the committee to look for pockets in need, those are the people to give presentations to.

Mr. Brittle stated the latest problem area that should be targeted for outreach is 44<sup>th</sup> Avenue and Camelback because the other facilities don't exist anymore. Mr. Fusco stated that even if the neighborhood doesn't have the issue anymore they will still have questions. Ms. Witzel stated that when the Education Subcommittee gets this going, will the committee members be notified of the meetings in the different communities. Mr. Leek stated that when this gets up and going the entire LEPC will be involved in making it happen.

Mr. Roe explained that questions directed at facilities can be resolved without speaking about a facility that is in question. Opportunities were often, and passed by your predecessors to explore other means of dealing with the issue which I believe led to resultant complaint. Mr. Rosen suggested conducting exercises for outreach like the one conducted in Tempe. He stated that it will have a real synergistic effect because you can get some of the work that needs to get done taken care of while educating the public at the same time. Mr. Roe stated that Mr. Glenn Jones put in for a grant to conduct just such an exercise.

Mr. Marcus Aurelius, Emergency Manager for the City of Phoenix, declared that there are a number of exercises mandated through grants, and in order to receive funding we have all kinds of hoops that we have to jump through. There are a number of very deliberate actions that need to be taken in terms of paperwork and staging. They are tied into funding mechanisms that are in place. Between May and June there are seven exercises that are tied into the UASI (Urban Area Security Initiative) group, so the wheels are in motion through the state and UASI. Mr. Brittle stated that it would be nice to see an exercise that involves a catastrophic release of chlorine near 44<sup>th</sup> Avenue and Camelback. He stated that Councilman Simplot is interested in educating people in the affected area, so maybe when the mapping and identifying impact areas is complete, we could conduct an outreach with your assistance. Mr. Aurelius stated that it is possible but some of the stuff is limited depending on how broad or what your focus and intent of the training is. Mr. Brittle announced that one his concerns is that we never talk about the big one as far as a single facility having an accident, and until we do, I think we have missed the boat.

### ***Announcement of Next Meeting***

The next meeting will held on April 5<sup>th</sup>, 2006 (Location TBD).

***Adjournment***

The meeting was adjourned at 3:30pm.

Dated this 4<sup>th</sup> Day of January, 2006

Local Emergency Planning Committee

Submitted by: \_\_\_\_\_  
Holly Carpenter, Recording Secretary

Reviewed By: \_\_\_\_\_  
Mr. Michael Fusco, LEPC Chairman